

No. 11(112) 3 Lab-79/5873.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act XIV of 1947) the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad in respect of the dispute between the workman and the management of M/s Bharat Carpets Ltd., Faridabad:—

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
HARYANA, FARIDABAD.

Reference No. 99 of 1979

between

SHRI RAM KRIT SINGH, WORKMAN AND THE MANAGEMENT OF M/S. BHARAT
CARPETS LTD., FARIDABAD

Present.—

Shri P. K. De, for the workman.

Shri Suresh Gupta, for the management.

AWARD

By order No. FD/1/32-79/13351, dated 21st March, 1979, the Governor of Haryana referred the following dispute between the management of M/s. Bharat Carpets Ltd., Faridabad and its workman Shri Ram Krit Singh, to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947:—

Whether the termination of services of Shri Ram Krit Singh was justified and in order ? If not, to what relief is he entitled ?

On receipt of the order of reference, notices were issued to the parties. The workman did not appear. The representative for the management appeared and gave full and final settlement of the amounts by which the workman received a sum of Rs. 1,122 and has left for good. The workman has expressed his inability to serve any longer due to his domestic circumstances. In these circumstances, I give my award that there is no dispute between the parties. The workman himself has resigned and has received all his dues and claims in full and final settlement.

NATHU RAM SHARMA,

Dated the :30th May, 1979.

Presiding Officer,
Industrial Tribunal,
Haryana, Faridabad.

No. 443, dated the 1st June, 1979.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour & Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

NATHU RAM SHARMA,

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 11(112)-3 Lab-79/5874.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad in respect of the dispute between the workman and the management of M/s Good-Year India Ltd., Ballabgarh:—

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
HARYANA, FARIDABAD

Reference No. 59 of 1975

between

SHRI DHARAM PAL SINGH WORKMAN AND THE MANAGEMENT OF M/S GOOD-YEAR
INDIA LIMITED, BALLABGARH

Present :—

Shri T.K. Sachhar, for the workman.

Shri K. L. Khurana, for the management.

AWARD

By order No. ID/FD/75/14187-91, dated 10th March, 1975, the Governor of Haryana referred the following dispute between the management of M/s Goodyear India Limited, Ballabgarh, and its workman Shri Dharam Pal Singh, to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act.

Whether the termination of services of Shri Dharam Pal Singh was justified and in order? If not to what relief is he entitled?

On receipt of the order of reference, notices were issued to the parties. The parties appeared and filed their reply. On the pleadings of the parties the following issues were framed on 20th January 1976 :—

(1) Whether the termination of services of Shri Dharam Pal Singh was justified and in order? If not, to what relief is he entitled?

And the case was fixed for the evidence of the management. The management examined one Shri B. K. Sharma their Manager as MW-1 and closed their case on the vires of the enuiries. Then the case was fixed for the evidence of the workman. The workman examined himself and closed his case. Arguments were heard. Findings on the vires of the enquiry was given by me. I have held the findings of the enquiry as perverse and set aside the said findings. Then the case was fixed for further proceeding. It was at this stage that a settlement took place between the parties. The settlement is Exhibit MW-1. I have gone through the settlement. It is just and fair. I give my award in terms of the settlement. The settlement shall form part of this award. Dated 25th May, 1979.

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 444, dated 1st June, 1979

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, together with four copies of the settlement.

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

MEMORANDUM OF SETTLEMENT
FORM H
(See Rule 58)

Name of the Parties :
Representing employer

.. Shri C. S. Puri,
Manager Factory Personnel,
Goodyear India Limited,
Ballabgarh

Representing workman

.. Shri Dharam Pal Singh, workman concerned

SHORT RECITAL OF THE CASE

Whereas a dispute being Industrial Dispute No. 59 of 1975 is pending adjudication before the Industrial Tribunal, Haryana, Faridabad. The terms of reference are as under :—

Whether the termination of services of Shri Dharam Pal Singh was justified and in order? If not, to what relief is he entitled?

And whereas the workman Shri Dharam Pal Singh is the only party to the above dispute.

And whereas during the pendency of the above dispute the workman and the management representative have mutually discussed the matter and decided to settle the same on the following terms :—

TERMS AND CONDITIONS OF THE SETTLEMENT

- (1) That the Management has agreed to reinstate Shri Dharam Pal Singh in employment within 15 days of this settlement award. He will be given base rate of Rs 1.28 per hour plus personal pay of Rs 12 and other allowances as admissible. He will be assigned to the job classification of Band Inspector in Department 41 or any other classification which is deemed suitable. He will not be entitled to any back wages, leave or any other benefit for the period during which he was not in the employment, that is, from 14/15th October, 1974—date of discharge—till the date of his reinstatement. He will, however, be given continuity of service.
- (2) That the workman Shri Dharam Pal Singh accepts this position without any reservations and of his own free will. The workman agrees not to claim any benefits monetary or otherwise, in respect of the above period of non-employment except continuity of service as mentioned in Para 1 above.
- (3) That the reference No. 59 of 1975 will stand fully settled.
- (4) That in view of this settlement, no dispute survives between the workman Shri Dharam Pal Singh and the management. A joint application will accordingly be made by the parties to this settlement to the Hon'ble Industrial Tribunal, Faridabad, Haryana, praying for a 'No Dispute Award' in terms of this settlement.

(5) that the parties further agree to send a copy of this settlement to the appropriate authorities as required under law.
Signed at Ballabgarh this 12th day of April, 1979.

For and on behalf of the Management of
GOODYEAR INDIA LIMITED
C.S. PURI,

Manager-Factory Personnel.
For & on behalf of the workman concerned.
DHARAM PAL SINGH—(Workman concerned).

Witnesses :

1. (Sd.) . . .
2. (Sd.) . . .
- (1) The Conciliation Officer, Ballabgarh Circle, Faridabad.
- (2) The Labour Commissioner, Haryana, Chandigarh.
- (3) The Secretary, Haryana Government, Labour Department, Chandigarh.

No. 11(112)-3Lab-79/5875.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad, in respect of the dispute between the workmen and the management of M/s Frontier Rubber Factory, N.I.T., Faridabad :—

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL, HARYANA, FARIDABAD

Reference No. 212 of 1978

Between

SHRI KISHAN WORKMAN AND THE MANAGEMENT OF M/S FRONTIER RUBBER FACTORY, N.I.T., FARIDABAD

Present :

Shri Amar Singh Sharma, for the workman.
Shri R. C. Sharma, Accountant, for the management.

AWARD

By order No. ID/FD/58-78/31747, dated 11th July, 1978, the Governor of Haryana, referred the following dispute between the management of M/s Frontier Rubber Factory, N.I.T., Faridabad, and its workman Shri Kishan, to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :—

Whether the termination of services of Shri Kishan was justified and in order ? If not, to what relief is he entitled ?

On receipt of the order of reference, notices were issued to the parties. The parties appeared and filed their pleadings. It was at this stage that the dispute was settled whereby the workman received a sum of Rs 500 only in full and final settlement of his dispute forgiving his right of reinstatement or re-employment, if any, I, therefore, give my award in terms of the settlement that there is no dispute between the parties, as the workman has already received a sum of Rs 500 only.

NATHU RAM SHARMA,

Dated 29th May, 1979.

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 442, dated 1st June, 1979

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act.

NATHU RAM SHARMA,

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.